

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

STEVEN LARON MCARTHUR  
ADC #95870

PLAINTIFF

V.

5:04CV00267 JMM/JTR

KIM LUCKETT, Assistant Warden,  
Cummins Unit, Arkansas Department  
of Correction; and EDWARD SMITH,  
Food Production Manager, Cummins Unit,  
Arkansas Department of Correction

DEFENDANTS

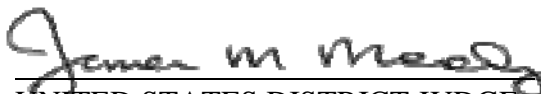
**ORDER**

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Defendant Lockett's Second Motion for Summary Judgment (docket entry #98) is GRANTED, and he is DISMISSED, WITH PREJUDICE, from this action.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal this Order would not be taken in good faith.

Dated this 31 day of October, 2007.

  
UNITED STATES DISTRICT JUDGE